

extract squill at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 19, 1933, by B. R. Elk & Co., from Dundee, N. J., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Fluid Extract Squill USP."

The article was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard of strength was not stated on the container.

Misbranding was alleged for the reason that the statement on the label, "Fluid Extract Squill USP", was false and misleading.

On April 4, 1935, no answer having been filed by the claimant, default decree of condemnation was entered and the court ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24631. Misbranding of Dr. J. O. Lambert's Syrup. U. S. v. 6 Packages and 32 Bottles of Dr. J. O. Lambert's Syrup. Default decree of condemnation and destruction. (F. & D. no. 31735. Sample no. 47194-A.)

This case involved an interstate shipment of a drug preparation the labeling of which contained unwarranted curative and therapeutic claims.

On December 26, 1933, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 6 packages and 32 bottles of Dr. J. O. Lambert's Syrup, at Burlington, Vt., alleging that the article had been shipped in interstate commerce on or about October 4, 1933, by Dr. J. O. Lambert, Ltd., from Troy, N. Y., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Dr. J. O. Lambert's Syrup"; (bottle) "Relief of Coughs * * * etc * * * for Catarrh"; (carton) "For Coughs * * * Bronchitis Asthma"; and similar statements in foreign languages.

Analysis showed that the article consisted essentially of chloroform, creosote, volatile oils including sassafras oil, menthol, and methyl salicylate, small proportions of magnesium sulphate and a benzoate, sugar, and water.

The libel charged that the article was misbranded. The charge recommended by this Department was that the article was misbranded in that the following statements in the labeling, regarding its curative and therapeutic effects, were false and fraudulent: "* * * for the relief of Coughs, * * * etc. * * * For Catarrh * * * For Coughs, * * * Bronchitis, Asthma"; and similar statements in foreign languages.

On June 10, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24632. Misbranding of Pheno-Cosan. U. S. v. 22 One-Ounce Jars, et al., of Pheno-Cosan. Consent decrees of condemnation and destruction. (F. & D. nos. 32058, 32590. Sample nos. 56092-A, 64252-A, 64253-A, 64271-A, 64272-A.)

These cases involved a drug preparation which was misbranded because of unwarranted curative and therapeutic claims contained in the labeling, and because the jars contained less than declared.

On March 5 and April 27, 1934, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of forty-four 1-ounce jars, sixteen 2-ounce jars, and eight 4-ounce jars of Pheno-Cosan at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about January 11 and February 16, 1934, by the Whitney Payne Corporation, from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of a mercury compound, a salicylate, and tar incorporated in an ointment base composed of fatty acids and water.

The article was alleged to be misbranded in that the following statements in the labeling were statements regarding the curative or therapeutic effects of the article, and were false and fraudulent: (Carton) "For Local treatment of Acute and Chronic Eczema"; (jar label) "For Acute and Chronic Eczema * * * Eczema, (also known as Tetter, Salt Rheum, Scaly Head, etc.)

* * * are promptly eliminated by Pheno-Cosan. Directions In eczema and other skin condition, * * * For * * * wounds, sores, etc."; circular) "Infant cases Indicated in Acute or Chronic Eczema, Impetigo, * * * Pruritis arising from Diabetes, Measles, or from any other cause. Applications may be from 2 to 6 daily, * * * rubbing gently till absorbed. In scalp condition, * * *." Misbranding was alleged for the further reason that the statements on the cartons, "1 oz. size", "2 oz. size", and "4 oz. size", respectively, were false and misleading, since the jars contained materially less than 1 ounce, 2 ounces, and 4 ounces, respectively, of the article.

On June 6 and June 27, 1935, the Whitney Payne Corporation, claimant, having consented to the entry of decrees, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24633. Adulteration and misbranding of Vitamized Stock Compound and Vitamized Poultry Compound. U. S. v. 47 Three-Pound Packages of Vitamized Stock Compound, et al. (F. & D. no. 32067. Sample nos. 42553-A, 42554-A.)

These cases involved products represented to be stock and poultry conditioners and remedies containing yeast and cod-liver oil. Examination showed that they contained no yeast or cod-liver oil, and that the labeling bore unwarranted curative and therapeutic claims.

On March 6, 1934, the United States attorney for the Middle District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 50 packages and 1 case of free samples of Vitamized Stock Compound, and 47 packages of Vitamized Poultry Compound at Nashville, Tenn., alleging that the articles had been shipped in interstate commerce on or about September 26, 1932, from Fostoria, Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled in part: "Vitamized Stock Compound [or "Vitamized Poultry Compound"] * * * Vitamized Products Company, Tiffin, Ohio."

Analyses showed that the stock compound consisted essentially of calcium carbonate and magnesium sulphate, with small amounts of an iron compound, sulphur, nux vomica, quassia, fenugreek, and potassium iodide; and that the poultry compound consisted essentially of calcium carbonate with magnesium sulphate, and small proportions of an iron compound, sulphur, capsicum, quassia, and potassium iodide. No yeast or cod-liver oil was found in either product.

The articles were alleged to be adulterated in that their strength fell below the professed standard or quality under which they were sold.

Misbranding was alleged for the reason that certain statements appearing on the packages of the articles were false and misleading, and for the further reason that certain statements, designs, or devices appearing upon and within the packages regarding the curative or therapeutic effects of the articles, were false and fraudulent.

On February 12, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

24634. Adulteration and misbranding of A-R-T (Allen's Rheumatic Treatment). U. S. v. Hart M. Allen (Hart M. Allen Laboratories). Plea of guilty. Fine, \$600. (F. & D. no. 32114. Sample nos. 23092-A, 26157-A, 37410-A.)

This case was based on interstate shipments of a drug preparation that was adulterated because of the presence of acetanilid in excess of the amount declared, and was misbranded because of unwarranted curative and therapeutic claims in the labeling.

On March 26, 1935, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Hart M. Allen, trading as the Hart M. Allen Laboratories, Los Angeles, Calif., alleging shipment by said defendant in violation of the Food and Drugs Act as amended, on or about May 22, July 15, and August 25, 1932, and February 1, 1933, from the State of California into the State of Oregon of quantities of A-R-T which was adulterated and misbranded. The information further charged that on or about November 16, 1932, the defendant had sold and delivered to a purchaser at San Francisco, Calif., a quantity of A-R-T Allen's Rheumatic Treatment under a guaranty that it conformed with the Federal Food and Drugs Act; that the article in the